



Appl. No. 09/874,022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Edecker, A., et al.
Appl. No.: 09/874,022
Conf. No.: 6765
Filed: June 5, 2001
Title: NETWORKED COMPUTER SYSTEM FOR COMMUNICATING AND
OPERATING IN A VIRTUAL REALITY ENVIRONMENT
Art Unit: 2141
Examiner: Baugh, A.
Docket No.: 112346-003

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RULE 131 DECLARATION OF ADA MAE EDECKER

I, Ada Mae Edecker, hereby state as follows:

1. I am currently employed as the Chief Executive Officer of Xdyne, Inc., the assignee of the above-referenced patent application.
2. I currently own approximately one-third of the Xdyne, Inc. stock.
3. Xdyne, Inc. is currently developing virtual reality software.
4. I am a named inventor in the above-reference patent application, which includes the currently pending claims.
5. The Office Action dated December 2, 2004 rejected the currently pending claims based on Glezerman (U.S. Publication 2003/0207237) and/or Whitfield (U.S. Publication 2002/0002491).

6. Glezerman (U.S. Publication 2003/0207237) was filed on April 3, 2001.

7. Whitfield (U.S. Publication 2002/0002491) was filed on April 17, 2001.

8. As demonstrated below, the named inventors (including myself) conceived of the invention disclosed and claimed in the above-referenced patent application at least as early as April 2, 2001, and worked diligently to reduce it to practice from at least that date until the above-referenced patent application was filed on June 5, 2001.

9. On April 2, 2001, I received a letter and a third draft (Exhibit A – portions redacted) of the patent application from my attorneys at Bell, Boyd & Lloyd, LLC. The April 2, 2001 draft of the patent application was in close to final form. Exhibit A is submitted as evidence that the named inventors conceived of the currently claimed invention at least as early as April 2, 2001. A copy of the letter is not included herein to maintain the attorney-client privilege.

10. After I received the third draft of the patent application on April 2, 2001, I continued to diligently work toward filing the patent application with the U.S. Patent and Trademark Office on June 5, 2001 by reviewing documents associated with the patent application and conversing with my attorneys at Bell, Boyd & Lloyd, LLC as demonstrated at least by the following milestones.

11. On April 11, 2001, I e-mailed revised drawings for the patent application to my attorneys at Bell, Boyd & Lloyd, LLC. A copy of the e-mail is not included herein to maintain the attorney-client privilege. However, the final version of the drawings appears in the patent application as filed.

12. On May 3, 2001, I e-mailed my corrections associated with the draft patent application of April 12, 2001 to my attorneys at Bell, Boyd & Lloyd, LLC. A copy of the e-mail is not included herein to maintain the attorney-client privilege.

13. On May 15, 2001, I received a letter and a final draft (Exhibit B) of the patent application from my attorneys at Bell, Boyd & Lloyd, LLC. This draft included the necessary corrections. A copy of the letter is not included herein to maintain the attorney-client privilege.

14. On May 29, 2001, I received an e-mail message enclosing an assignment (Exhibit C) document from my attorneys at Bell, Boyd & Lloyd, LLC. A copy of the e-mail message is not included herein to maintain the attorney-client privilege.

15. On June 5, 2001, the patent application was filed.

I understand that willful false statements and the like are punishable by fine and/or imprisonment under §1001, Title 18 of the United States Code and that any such willful false statement may jeopardize the validity of this application and any patent resulting therefrom.

By: Ada Mae Edecker Date: April 27, 2005
Ada Mae Edecker